

**Enrolled Minutes of the Thirty-third Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Plenary Business Meeting
Monday, April 24, 2017**

Study Session. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, April 24, 2017 at 6:47 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Dan Vassar, Steven Wagner, Konnie Kuiper and Bernie Zemen were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent meeting.

The study session ended at 6:59 O'clock p.m.

Regular meeting. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, April 24, 2017 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Dan Vassar presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Mark A. Herak reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Mark Herak, Dan Vassar, Steven Wagner, Konnie Kuiper and Bernie Zemen. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Esq., Town Attorney; Pete Hojnicky, Police Chief; John M. Bach, Public Works Director; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Kenneth J. Mika, Building Commissioner were present.

Additionally present: Steve Mileusnich and Susan Murovic, Advisory Board of Zoning Appeals; and Ed Dabrowski, IT Consultant were additionally present.

Minutes of the Previous Meetings: The minutes of the regular meeting of 10 April 2017, were approved by general consent.

Special Orders:

1. **Elks Donation.** With leave from the Town Council, representatives of the *Benevolent and Protective Order of Elks*, Highland Lodge 981, presented a check in the amount of \$1,000 to the Town of Highland Metropolitan Police Department to support the G.R.E.A.T Program. The Town Council President thanked the organization.
2. **Public Hearing:** Proposed Additional Appropriations in Excess of the 2017 Budget for the Municipal Cumulative Capital Development (MCCD) Fund in the amount of **\$16,869.**

- (a) Attorney verification of Proofs of Publication: The TIMES 13 April 2017. The Town Attorney indicated that the proof of publication complied with IC 5-3-1.
- (b) **Public Hearing.** The Town Council President called the hearing to order. There were no remonstrances or comments. The hearing was closed.
- (c) Action on **Appropriation Enactment No. 2017-16:** An Enactment Appropriating Additional Moneys in Excess of the 2017 Budget for the Municipal Cumulative Capital Development (MCCD) Fund in the amount of **\$16,869**, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Herak introduced and moved the consideration at the same meeting or day of introduction of Enactment No. 2017-16. Councilor Wagner seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of introduction.

Councilor Herak moved the passage and adoption at the same meeting or day of introduction of Enactment No. 2017-16. Councilor Wagner seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of introduction.

Town of Highland
APPROPRIATION ENACTMENT
Enactment No. 2017-16

An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Municipal Cumulative Capital Development Fund, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Municipal Cumulative Capital Development Fund;**

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Municipal Cumulative Capital Development Fund** and for the purposes herein specified, subject to the laws governing the same:

MUNICIPAL CUMULATIVE CAPITAL DEVELOPMENT FUND

Increase	
Acct. No. 055-0000-43005 Facility Lighting:	\$ 6,869.00
Acct. No. 055-0000-43006 Office Remodeling:	<u>\$ 10,000.00</u>
<i>Total Series:</i>	\$ 16,869.00
Fund Total:	\$ 16,869.00

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure **subject to an order** of the Commissioner, pursuant to IC 6-1.1-18.

Section 3. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 24th Day of April 2017. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 24th Day of April 2017, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Dan Vassar, President (IC 36-5-2-10)

ATTEST:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

3. **Executive Proclamation:** A Proclamation in Recognition of May 12, 2017 as *Fibromyalgia Awareness Day* in the Town of Highland. The Clerk-Treasurer read aloud the enrolled executive proclamation. The Town Council President executed the proclamation with his signature.

TOWN OF HIGHLAND
PROCLAMATION OF the TOWN EXECUTIVE

A PROCLAMATION IN RECOGNITION OF MAY 12, 2017 AS FIBROMYALGIA AWARENESS DAY

WHEREAS, An estimated 10 million people in the United States and millions of people worldwide have been diagnosed with fibromyalgia, a disease for which there is no known cause or cure;

WHEREAS, It often takes an average of five years to receive a diagnosis of fibromyalgia, and medical professionals frequently are inadequately educated on the diagnosis and treatment of fibromyalgia;

WHEREAS, Fibromyalgia is a chronic pain disorder—becoming an increasingly common diagnosis and taking a toll emotionally, financially and socially on patients, their family, friends, co-workers and community;

WHEREAS Fibromyalgia is life-altering, preventing patients from contributing to society at the level they once did because of a myriad of symptoms that can come and go unpredictably and vary in severity;

WHEREAS, People with fibromyalgia are never completely symptom-free; they are always in pain; this pain impacts every area of their life and others must step up to fill in the voids left when all the patients' efforts are focused on just getting through the day, showing just how much fibromyalgia truly hurts everyone;

WHEREAS, The chronically ill place a larger burden on the health care and insurance industries and businesses that must cover the costly expenses associated with their treatment, medications and sometimes hospitalizations;

WHEREAS, Increased awareness and expanded knowledge of the realities of life with fibromyalgia will allow the community at large to better support patients and their family, friends, co-workers and employers who struggle with the challenges of this chronic pain disorder; and

WHEREAS, Fibromites Unite, the National Fibromyalgia & Chronic Pain Association, the Fibromyalgia Network, and other groups around our country have joined to promote fibromyalgia awareness and support - including improved education, diagnosis, research, and treatment,

Now, Therefore, I, Dan Vassar, by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim May 12, 2017, as **Fibromyalgia Awareness Day** in the Town of Highland;

Be it Further Proclaimed, That the citizens of Highland are hereby encouraged to support the search for a cure and assist those individuals and families who deal with this devastating disorder on a daily basis.

In Witness Whereof, I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 24th day of April in the year 2017.

TOWN of HIGHLAND, INDIANA
BY ITS TOWN COUNCIL PRESIDENT

Dan Vassar

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

General Orders and Unfinished Business:

1. **Introduced Ordinance No. 1645: An Ordinance to Amend Chapter 11.05 of the Highland Municipal Code Regarding the Parks and Recreation Department, pursuant to I.C. 36-1-5 and I.C. 36-10-3 et seq.** *(This was only introduced without further action – see jurat on ordinance.)* Councilor Wagner introduced and filed Ordinance No. 1645. There was no further action for the reasons given.

Councilor Herak moved the passage and adoption of Ordinance No. 1645. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**ORDINANCE No. 1645
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE To AMEND CHAPTER 11.05 OF THE HIGHLAND MUNICIPAL CODE REGARDING THE PARKS AND RECREATION DEPARTMENT, ALL PURSUANT TO I.C. 36-1-5 AND I.C. 36-10-3 ET SEQ.

WHEREAS, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit shall codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances;

WHEREAS, The legislative body of this unit, the Town of Highland, is the Town Council, pursuant to IC 36-1-2-9(5) and IC 36-5-2-2;

WHEREAS, IC 36-7-4 specifically provides that a unit of local government shall govern planning and development according to its terms and provisions;

WHEREAS, The Town Council has previously adopted the provisions of IC 36-10-3 establishing a parks and recreation department under the governance of a park and recreation board;

WHEREAS, The Highland Town Council has determined that the amendment of the Highland Municipal Code regarding its provisions dealing with the park and recreation department and its special non-reverting capital fund, to be an exercise of local authority consistent with the provisions of IC 36-10-3 and IC 36-1-3 and necessary or desirable in the conduct of its affairs;

WHEREAS, The Highland Town Council has further determined that the amendment of the Highland Municipal Code regarding its provisions dealing with the redevelopment commission would further perfect the municipal code by selectively adopting statutory text; and

WHEREAS, The present general and permanent ordinances of the Town of Highland, formally codified in 2012, are in need of technical and substantive modifications desirable to further improve and perfect the Code; and

WHEREAS, The Town Council, is persuaded that it is necessary and desirable to adopt a technical and substantive modification to Chapter 11.05 in order to further improve and perfect the Code,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That Section 11.05.110 of the Highland Municipal Code is hereby repealed in its entirety and amended by successor Section, which shall be identified as Section 11.05.110 and read as follows:

11.05.110 Special nonreverting capital fund.

(A) There is hereby created and established a special nonreverting capital fund for the purposes of acquiring land or making specific capital improvements to facilities and plants under the jurisdiction of the parks and recreation department, **pursuant to the provisions of I.C. 36-10-3-20 and I.C. 36-10-3-22;**

(B) Expenditures from this fund may only be for the purposes for which this fund was established, upon appropriation of the fiscal body of the town of Highland, which such purposes are as follows:

- (1) Acquisition of land for parks and recreation;
- (2) Acquisition and installation of playground equipment;
- (3) Vehicle acquisition and replacement;

- (4) Equipment acquisition and replacement;
 - (5) Making improvements to parks, buildings and facilities under the control of the park and recreation board including surface grading or paving to pleasure walkways, pleasure driveways, boulevards, bicycle or pedestrian paths or trails or sidewalks and parking lots serving parks under the board's jurisdiction;
 - (6) Making improvements to tennis courts, **community centers and any park asset identified in IC 36-10-1-2;**
 - (7) Paying engineering costs associated with any of the purposes enumerated herein;
 - (8) Paying costs associated with any project, article, vehicle or equipment listed and approved in a duly adopted resolution of the park and recreation board, associated with a lawful bond issue of the park district;

 - (9) (NEW) Paying costs associated with any work of improvement associated with parks and recreation, which may include but not be limited to expenditures related to facilities, landscaping, appurtenances, materials and supplies that are necessary to make any building, facility, or improvement suitable for the use for which it was constructed, as well as the installation, removal and care of trees, flowers, shrubbery, and any horticulture conducted on assets under the authority of the parks and recreation department;**
 - (10) Paying interest and principal on bonds used to finance improvements described herein as well as interest costs associated with temporary loans made for the park district bond and interest fund;
 - (11) Making capital lease payments to acquire equipment or make improvements described herein;
- (C) The sources of money for the fund may be as follows:
- (1) An appropriation in the annual budget in the park and recreation general fund of the parks and recreation department;
 - (2) Proceeds from the sale of surplus or other property of the parks and recreation department, both real and personal;
 - (3) Interest earned from the investment of moneys on deposit to the credit of the fund, provided such investments are conducted pursuant to IC 5-13-9 et seq.;
 - (4) A gift or donations from any person or entity which is specifically designated to the fund and its purposes;
 - (5) Any designated contributions from developers or other persons or entities in consequence of negotiated agreements which are presented in support of construction, reconstruction or improvement for public parks or parks and recreation facilities;
 - (6) Proceeds from the sale of bonds issued pursuant to IC 36-10-3-24;
 - (7) **Grants or other intergovernmental reimbursements or contributions, and interdepartmental reimbursements or contributions** that are in consequence of the lawful purposes of the fund;
- (D) Expenditures from the fund may be made from the proper category of expense and for the purposes of the fund only after an appropriation has been made in the manner provided by statute for making other appropriations and shall be disbursed only on approved accounts payable vouchers allowed by the park and recreation board, at a regular or special meeting pursuant to IC 5-11-10, IC 36-5-4 and 36-10-3 et seq.;
- (E) All unused and unencumbered monies do not revert to the park and recreation general fund nor to any fund but the fund created by this section;
- (F) The unused and unencumbered balance of an appropriation does not revert but remains in full force and effect to the credit of the fund created by this section;
- (G) (NEW) The fiscal body may not repeal Section 11.05.110 under suspension of the rules or under the provisions of I.C. 36-5-2-9.8.**

Section 2. That this ordinance shall be effective from and after its passage and adoption, as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on the 10th day of April 2017. Consideration on First Reading was not considered under I.C. 36-5-2-9.8 as repeal of an ordinance establishing the park non-reverting capital fund cannot be repealed under suspension of the rules, pursuant to IC 36-10-3-20(b) and IC 36-10-3-22(c).

DULY ORDAINED AND ADOPTED this 24th day of April 2017, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

- 2. Proposed Ordinance No. 1646:** An Ordinance To Amend The Compensation, Benefits And Personnel Program Of The Municipality, Known as the *Compensation and Benefits Ordinance* Commonly Known as the *Municipal Employees Handbook*, to Make Certain Modifications to Assist with Retiring Workers who Are Eligible to Continue Group Health Coverage with the Municipality while retired, Pursuant To IC 36-1-3; I.C. 5-10-8-2.2, I.C. 5-10-8-2.6 and Other Relevant Statutes.

Councilor Wagner introduced and moved the consideration at the same meeting or day of introduction of Ordinance No. 1646. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of introduction.

Councilor Wagner moved the passage and adoption at the same meeting or day of introduction of Ordinance No. 1646. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of introduction.

**ORDINANCE No. 1646
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE TO AMEND THE COMPENSATION, BENEFITS AND PERSONNEL PROGRAM OF THE MUNICIPALITY, KNOWN AS THE COMPENSATION AND BENEFITS ORDINANCE COMMONLY KNOWN AS THE MUNICIPAL EMPLOYEES HANDBOOK, TO MAKE CERTAIN MODIFICATIONS TO ASSIST WITH RETIRING WORKERS WHO ARE ELIGIBLE TO CONTINUE GROUP HEALTH COVERAGE WITH THE MUNICIPALITY WHILE RETIRED, PURSUANT TO I.C. 36-1-3; I.C. 5-10-8-2.2, I.C. 5-10-8-2.6 AND OTHER RELEVANT STATUTES.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

WHEREAS, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, I.C. 36-5-3-2(b), still further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

WHEREAS, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed

officers and employees of the Town for the year 2017 and thereafter, the Compensation and Benefits Ordinance, commonly known as Municipal Employees Handbook, first adopted under Ordinance No. 1378, as amended;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to fix the compensation of its elected officers, appointed officers and employees of the Town for the year ensuing and thereafter;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, that the compensation and benefits of the Officers and Employees of the Town of Highland, are hereby established and fixed, pursuant to the provisions indicated herein and as follows:

Section 1. That Sections § 6.07 and §6.08 of the Compensation and Benefits Ordinance commonly known as the Municipal Employees Handbook, first adopted under Ordinance No. 1378, as amended, be further amended by repealing it in its entirety and replacing with successor sections, which shall be styled and read as follows:

§ 6.07 Insurance Plan for Retired and Separating "Public Safety" Employees

- (A) Retired Public Safety Employees as defined in I.C. 5-10-8-2.2 (b), public safety employees who are receiving disability benefits under I.C. 36-8-6, I.C. 36-8-7, I.C. 36-8-7.5, or I.C. 36-8-6-8 and surviving spouses and dependents of public safety employees who die while in active service or after retirement shall be eligible for participation in a Retirees' Group Health and Life Insurance Plan as established by the Municipality.
- (B) A retired or disabled public safety employee who is eligible for group health insurance under this enactment may elect to have the person's spouse, and dependents covered under the group health and life insurance plan at the time the person retires or becomes disabled. In order to participate in this program, the retired public safety employee, public safety employee receiving disability benefits or a surviving spouse or dependent of a public safety employee who dies in active service or after retirement must perform the following:
1. The eligible party must file a written request for insurance coverage with the municipality in the Office of the Clerk-Treasurer within ninety- (90) days after the person retires or begins receiving benefits;
 2. The eligible party must pay an amount equal to the total of the employer's share and the employee's share of the premium for the group health insurance by a date certain each month. The eligible party must pay an amount equal to the employee's share of the premium for the group life insurance by a date certain each month. No additional notice or any invoicing will be given. For the retirees' plan, the employee share of the group health or medical insurance shall be One Hundred Percent of the premium (100%). For the retirees' plan, the employee share of the group life insurance shall be fifty percent (50%) and the employer share shall be fifty percent (50%).
- (C) **Dependent.** For the purposes of this benefit, a dependent of a public safety employee means a natural child, step child, or adopted child of a public safety employee who:
1. Is less than eighteen (18) years of age;
 2. Is eighteen years of age or older and physically or mentally disabled (using disability guidelines established by the Social Security Administration); or
 3. Is at least eighteen (18) and less than twenty-three (23) and is enrolled in and regularly attending a secondary school or is a full-time student at an accredited college or university;
- (D) A retired or disabled public safety employee's eligibility for the retiree's health insurance under this section ends on the earlier of the following:
1. When the public safety employee becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;
 2. When the municipality terminates the health insurance program for active public safety employees;
- (E) **The municipality as employer will pay up to one month of group health insurance coverage at the level in which the public safety employee was enrolled just before retirement provided the public safety employee is eligible for a retirement benefit under Section 6.07 of this policy and I.C. 5-10-8-2.2. The coverage will be for up to one month or when the public safety employee obtains coverage under another health insurance plan, whichever occurs earlier.**
- (F) A surviving spouse's eligibility for the retiree's health insurance under this section ends on the earliest of the following:

1. When the surviving spouse becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;
 2. When the municipality terminates the health insurance program for active public safety employees;
 3. The date of the surviving spouse's remarriage;
 4. When health insurance becomes available to the surviving spouse through employment;
- (G) A dependent's eligibility for the retiree's health insurance under this section ends on the earliest of the following:
1. When dependent becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;
 2. When the municipality terminates the health insurance program for active public safety employees;
 3. When the dependent no longer meets the criteria defining a dependent as set forth in this enactment;
 4. When health insurance becomes available to the dependent through employment;

§ 6.08 Insurance Plan for Retired and Separating "Public" Employees

(A) A Retired Public Employee as defined in I.C. 5-10-8-1(7)(A), who:

1. Will have reached fifty-five (55) years of age on or before the employee's retirement date but will not be eligible on that date for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;
2. Who will have completed twenty (20) years of creditable employment with a public employer on or before the employee's retirement date, ten (10) years of which must have been completed immediately preceding the retirement date; and
3. Who will have completed at least fifteen (15) years of participation in the retirement plan of which the employee is a member on or before the employee's retirement date; or

Separating Employees who:

4. Will have reached sixty (60) years of age on or before the employee's separation date but will not be eligible on that date for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.; and
5. Who will have completed five (5) years of creditable employment with the municipality on or before the employee's separation date, all five years of which must have been completed immediately preceding the separation date;

shall be eligible for participation in a Retirees' Group Health and Life Insurance plan as established by the Municipality. In order to be eligible, the public employee must be a participant in ~~the Public Employee Retirement Fund~~ INPRS, qualify for a benefit under I.C. 5-10.3-8-2.6, ~~or be an electively separating employee as defined in subdivision (4) above.~~

(B) A retired public employee who is eligible for group health and life insurance under this enactment policy may elect to have the person's spouse covered under the group health insurance plan at the time the person retires. In order to participate in this program, the retired or separating public employee, must perform the following:

1. The eligible party must file a written request for insurance coverage with the municipality in the Office of the Clerk-Treasurer within ninety (90) days after the person retires or begins receiving benefits;
2. The eligible party must pay an amount equal to the total of the employer's share and the employee's share of the premium for the group health insurance by a date certain each month. The eligible party must pay an amount equal to the employee's share of the premium for the group life insurance by a date certain each month. No additional notice or any invoicing will be given. For the retirees' plan, the employee share of the group health or medical insurance shall be One Hundred Percent of the premium (100%). For the retirees' plan, the employee share of the group life insurance shall be fifty percent (50%) and the employer share shall be fifty percent (50%).

(C) The municipality as employer will pay up to one month of group health coverage at the level in which the public employee was enrolled just before retirement provided the public employee is eligible for a retirement benefit under Section 6.08 of this policy and I.C. 5-10-8-2.6. The coverage will be for up to one month or when the public employee obtains coverage under another health insurance plan, whichever occurs earlier.

(D) A retired or separating public employee's eligibility for the retiree's health insurance under this section ends on the earlier of the following:

1. When the public employee becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;
2. When the municipality terminates the health insurance program for active public employees;

(E) A retired public employee's surviving spouse covered at the time of the employee's retirement may continue coverage by paying premiums according to the same terms as the retired employee would have been required to pay for coverage selected by the spouse. A surviving spouse's eligibility for the retiree's health insurance under this section ends on the earliest of the following:

1. When the surviving spouse becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;
2. When the municipality terminates the health insurance program for active public employees;
3. The date of the surviving spouse's remarriage;
4. Two years after the date of the employee's death;

(F) A dependent's eligibility for the retiree's health insurance under this section ends on the earliest of the following:

1. When dependent becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;
2. When the municipality terminates the health insurance program for active public employees;
3. When the dependent no longer meets the criteria defining a dependent as set forth in this enactment;
4. When health insurance becomes available to the dependent through employment;

Section 2. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 3. (A) That an emergency exists for the immediate taking affect of this Ordinance, which, subject to the provisions of this ordinance, shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, pursuant to any effective dates herein described and until its repeal or amendment by subsequent enactment;

(B) That the Clerk-Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly set forth in IC 36-5-6-6 (a) (3) & (4).

Introduced and Filed on the 24th day of April 2017. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 24th Day of April 2017, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

3. Works Board Order No. 2017-10: A Joint Enacting Instrument of the Highland Works Board of Directors, Highland Sanitary Board of Commissioners, and Highland Water Works Board of Directors Accepting the Quote of Ozinga Materials for Concrete Crushing Services of Approximated 9,400 tons of Concrete and Asphalt Debris located at the Highland Public Works Facility in the amount not-to-exceed Sixty Thousand Dollars and No Cents (\$60,000.00), as the Lowest Responsive and Responsible Quote.

Councilor Herak moved for the passage and adoption of Works Board Order No. 2017-10. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Order of the Works Board 2017-10
Waterworks Board Resolution No. 2017-10
Board of Sanitary Commissioners Resolution No. 2017-12**

A JOINT ENACTING INSTRUMENT OF THE HIGHLAND WORKS BOARD OF DIRECTORS, HIGHLAND SANITARY BOARD OF COMMISSIONERS, AND HIGHLAND WATER WORKS BOARD OF DIRECTORS ACCEPTING THE QUOTE OF OZINGA MATERIALS FOR CONCRETE CRUSHING SERVICES OF APPROXIMATED 9,400 TONS OF CONCRETE AND ASPHALT DEBRIS LOCATED AT THE HIGHLAND PUBLIC WORKS FACILITY IN THE AMOUNT NOT-TO-EXCEED SIXTY THOUSAND DOLLARS AND NO CENTS (\$60,000.00), AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE

Whereas, During the course of usual business, the Department of Public Works has accumulated approximately 9,400 tons of concrete and asphalt waste (waste) that has been stockpiled at the Highland Public Works Facility; and

Whereas, The waste was derived from the roadwork, sidewalk replacement, water utility repairs, and storm and sanitary sewer system repairs over the course of several years; and

Whereas, The Public Works staff has evaluated the cost of removal versus the cost of grinding in place and determined that the costs are relatively the same; however, the byproduct of the process will produce an equivalent amount of crushed concrete suitable for projects that would normally require purchased limestone and slag, valued approximately at the cost of the crushing process; and

Whereas, The Public Works Director, pursuant to §3.05.050(D) of the HMC, serves as the Purchasing Agent for the Public Works Department, Highland Sanitary District and Highland Water Works District; and

Whereas, The Purchasing Agent, pursuant to §3.05.060(F) of the HMC, expected that the purchase would be at least \$50,000 and not more than \$150,000 invited quotes from contractors in accordance with §3.05.060(F) of the HMC; and

Whereas, The following quotes had been received:

Walsh & Kelly Inc.	\$80,500.00
Ozinga Materials, Inc.	\$60,000.00; and

Whereas, It is prudent and in the best interest of the Highland Works Board, Highland Sanitary Board of Commissioners, and Highland Water Works Board of Directors to support and share cost of the service at a breakdown of 50% Board of Works, 25% Water Works Board and 25% Sanitary District, and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §3.05.030(A) of the HMC serves as purchasing agency for the Public Works Department; and

Whereas, The Board of Sanitary Commissioners, pursuant to §3.05.030(E) of the HMC serves as purchasing agency for the Public Sanitation Department; and

Whereas, The Board of Waterworks Directors, pursuant to §3.05.030(D) of the HMC serves as purchasing agency for the Highland Waterworks; and

Whereas, the purchase price exceeds \$15,000.00 and, pursuant to §3.05.050(B) of the HMC requires the express approval of the purchasing agencies; and

Whereas, The Town Council, acting as the Works Board for the Town of Highland, the Board of Sanitary Commissioners, and the Highland Waterworks Board of Directors now desire to approve and authorize the Public Works Director to accept the quote of Ozinga Materials, Inc. in the amount not-to-exceed Sixty Thousand Dollars and no cents (\$60,000) pursuant to the cost breakdown and terms stated herein,

Now Therefore Be it Hereby:

Ordered by the Town Council, acting as the Works Board of the Town of Highland, Lake County, Indiana; and

Resolved by the Board of Waterworks Directors of the Town of Highland, Lake County, Indiana; and

Resolved by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana;

Section 1. That the quote of Ozinga Materials, Inc. in the gross amount, not-to-exceed, of Sixty Thousand Dollars and no cents (\$60,000) for the concrete and asphalt crushing services at the Highland Public Works Facility is hereby accepted as the lowest responsive and responsible quote;

Section 2. That the purchase shall be funded in appropriate shares, established herein, by the Highland Board of Works through the Motor Vehicle Highway fund (2), Highland Sanitary Board of Commissioners through the Sewer Operating (40), and the Highland Water Works Board of Directors through the Water Works Operating fund (64); and

Section 3. That, upon the approval of the Highland Board of Works, Highland Sanitary Board of Commissioners and the Highland Water Works Board of Directors, the Public Works Director is hereby authorized to issue a purchase order to Ozinga Materials, Inc. and to execute all documents necessary to implement project.

BE IT SO ORDERED

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 24th day of April 2017 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

DULY ADOPTED AND RESOLVED by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 18th day of April, 2017. Having been passed by a vote of ___ in favor and ___ opposed.

**THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:**

Richard Garcia, President

Attest:

David Jones, Secretary

DULY ADOPTED AND RESOLVED +by the Board of Waterworks Directors of Highland, Lake County, Indiana, this 27th day of April, 2017. Having been passed by a vote of ___ in favor and ___ opposed.

**THE WATERWORKS DISTRICT OF HIGHLAND
BY ITS BOARD OF DIRECTORS:**

George A. Smith, President

Attest:

George Georgeff, Secretary

4. **Works Board Order No. 2017-11:** An Order of the Works Board Accepting a Proposal from Tim's Landscape Services, Inc. for Landscape Maintenance Services in Downtown Highland and Three (3) Welcome to Highland sign Planters in the amount of Thirty-two Thousand Seven Hundred Five Dollars and no Cents (\$35,225).

Councilor Kuiper moved for the passage and adoption of Works Board Order No. 2017-11. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board No. 2017-11**

An Order of the Works Board Accepting a Proposal from Tim's Landscape Services, Inc. for Landscape Maintenance Services in Downtown Highland and Three (3) Welcome to Highland sign Planters in the amount of Thirty-five Thousand Two Hundred Twenty- Five Dollars and no Cents (\$35,225)

Whereas, The Department of Public Works has determined to outsource the landscape maintenance functions to qualified landscape service contractors in downtown Highland and at three (3) Welcome to Highland sign planters in 2016; and

Whereas, In 2015, the Public Works Director had prepared specifications and schedule of services to be performed throughout the course of year and had solicited bids from five (5) landscape services contractors, pursuant to the specifications and schedule of services; and

Whereas, In 2015, the Town of Highland had awarded a contract for downtown landscape maintenance to Tim's Landscape Services, Inc. in the amount of Thirty-two Thousand Seven Hundred Five Dollars and no Cents (\$32,705.00) to be the lowest responsive and responsible bid; and

Whereas, In 2016, the Town of Highland had awarded a contract for downtown landscape maintenance to Tim's Landscape Services, Inc. in the amount of Thirty-two Thousand Seven Hundred Five Dollars and no Cents (\$35,225.00) to be the lowest responsive and responsible bid; and

Whereas, On February 1, 2017, Tim's Landscape Services, Inc. was requested to submit a proposal for downtown landscape maintenance services, revised to include areas outside the 2015 scope of services, for the 2017 season; and

Whereas, On February 2, 2017, Tim's Landscape Services, Inc., offered and presented a proposal, attached hereto and made a part of this Order, to provide landscape maintenance services for the downtown Highland and three (3) Welcome to Highland sign planters in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services associated with the work completed, in the total amount of Thirty-five Thousand Two Hundred Twenty-five Dollars (\$35,225.00); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e) and HMC Section 3.05.040(E); and

Whereas, The Town of Highland, through its Town Council, now desires to accept the recommendation of the Public Works Director to accept the proposal and award a contract to Tim's Landscape Services, Inc. for the Downtown Highland and three (3) Welcome to Highland sign planters landscape maintenance services,

Now, Therefore, Be It Ordered, by the Town Council of the Highland, Indiana, acting as the works board of the municipality:

Section 1. That the proposal of Tim's Landscape Services, Inc. Landscape Maintenance Services in Downtown Highland and three (3) Welcome to Highland sign Planters in the amount of Thirty-five Thousand Two Hundred Twenty-five Dollars (\$35,225.00) be hereby accepted as the lowest responsive and responsible quote.

Section 2. That the Public Works Director is hereby authorized to execute the agreement and all documents necessary to implement the project.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 24th day of April 2017 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

5. **Works Board Order No. 2017-12:** An Order of the Works Board Accepting the Quote of Hawk Enterprises, Incorporated for the Installation of Illuminated Street Signs, two (2) at the intersection of Highway Avenue and Kennedy Avenue and two (2) at the intersection of Ridge Road and 5th Street, Being the Lowest Responsive and Responsible Quote in the amount of Nineteen Thousand Two Hundred Eighty Dollars and 00/100 Cents (\$19,280).

Councilor Kuiper moved for the passage and adoption of Works Board Order No. 2017-12. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board No. 2017-12**

An Order of the Works Board Accepting the Quote of Hawk Enterprises, Incorporated for the Installation of Illuminated Street Signs, two (2) at the intersection of Highway Avenue and Kennedy Avenue and two (2) at the intersection of Ridge Road and 5th Street, Being the Lowest Responsive and Responsible Quote in the amount of Nineteen Thousand Two Hundred Eighty Dollars and 00/100 Cents (\$19,280)

Whereas, The Town Council (Board of Works) for the Town of Highland has determined to install illuminated street signs at the intersection of Highway Avenue and Kennedy Avenue and at the intersection of Ridge Road and 5th Street; and

Whereas, Pursuant to §3.15.170 of the HMC, the Board estimated that the public works project was estimated to cost less than \$50,000, and invited quotes from Midwestern Electric, Incorporated and Hawk Enterprises, Incorporated; and

Whereas, Midwestern Electric, Incorporated submitted a quote in the amount \$20,760 and Hawk Enterprises, Incorporated submitted a quote in the amount of \$19,280, both attached hereto and made a part of this Order; and

Whereas, The Director of Public Works has reviewed the quotes and determined that the quote of Hawk Enterprises, Inc. in the amount of Nineteen Thousand Two Hundred Eighty Dollars and 00/100 Cents (\$19,280.00) to be the lowest responsive and responsible quote, and

Whereas, There are sufficient and available appropriations balances on hand to support the payments for services, pursuant to IC 5-22-17-3(e) and HMC Section 3.05.040(E); and

Whereas, The Town of Highland, through its Board of Works, now desires engage Hawk Enterprises, Incorporated for the Illuminated Street Light Project at Kennedy Avenue and Highway Avenue and at 5th Street and Ridge Road,

Now, Therefore, Be It Hereby Ordered by the Town the Highland, Indiana, through its Board of Works:

Section 1. That the quote of Hawk Enterprises, Incorporated for the Illuminated Street Light Project at Kennedy Avenue and Highway Avenue and at 5th Street and Ridge Road in the amount of Nineteen Thousand Two Hundred Eighty Dollars and 00/100 Cents (\$19,280.00) is hereby accepted as the lowest responsive and responsible quote;

Section 2. That the Public Works Director and Clerk Treasurer are hereby authorized to execute the agreement and all documents necessary to implement the project.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 24th day of April 2017 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

6. Authorizing the proper officer to publish legal notice of a public hearing to consider additional appropriations in the amount of \$80,000 in the Economic Development Income Tax Fund and \$101,460 in the Community Crossings Grant Fund.

Councilor Herak moved to authorize the proper officer to publish the legal notice as indicated. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The proper officer was authorized.

Comments from the Town Council:

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison*

Councilor Zemen acknowledged the Building Commissioner who reported on the status of matters pending before the Plan Commission.

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Councilor Herak acknowledged the Public Works Director, who reported on the Martha Street Sanitary Sewer Project and offered a survey regarding others. He also reported that the project for the CDBG were submitted to the Lake County Community Development Department.

- **Councilor Steve Wagner:** *Advisory Board of Zoning Appeals Liaison • Redevelopment Commission Liaison.*

Councilor Wagner acknowledged the Building Commissioner, who offered an overview of matters before the Advisory Board of Zoning Appeals.

- **Councilor Konnie Kuiper:** *Town Board of Metropolitan Police Commissioners, Liaison. • Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief who presented a survey of activities of the Fire Department.

- **Councilor President Dan Vassar:** *Town Executive • Chair of the Board of Police Pension Trustees • Liaison to the Park and Recreation Board.*

The Council President acknowledged the Parks and Recreation Superintendent who reported on the most recent annual Park Pride Day, which he noted coincided this year with Earth Day.

Town Council President also noted that a People's Climate March will be conducted at Main Square Park, April 29, 2017 from 11:00 a.m to 3:00 p.m.

The Town Council President announced a fund raising event for the late Brant Torrenge's surviving family, May 6, from 3 p.m. to 7:00 p.m.

The Town Council President also acknowledged he had attend the Highland High School's recent National Honor Society Induction ceremony and commended the Clerk-Treasurer for his speech.

Comments from Visitors or Residents:

1. Noreen Haggerty, 9218 Wildwood Drive, Highland, stating that she represented "Indivisible of Northwest Indiana, requested the Town Council to offer an expression of support for their efforts to fortify the U.S. Environmental Protection Agency against efforts by the current administration to hobble it.

It was suggested that if the group had a sample resolution that it could provide, the Town Council would consider it.

Payment of Accounts Payable Vouchers. There being no further comments from visitors or residents, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **April 11, 2017 through April 24, 2017** and the **payroll docket for April 14, 2017**. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed,

payments allowed in advance were ratified, the payroll dockets listed were ratified and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$260,163.00; Motor Vehicle Highway and Street (MVH) Fund, \$20,956.29; Local Road and Streets, Fund, \$12,763.57; Law Enforcement Continuing Education, Training, and Supply Fund, \$1,699.64; Flexible Spending Account Agency Fund, \$1,258.90; Gasoline Agency Fund, \$109.68; Information and Communications Technology Fund, \$15,138.24; Civil Donation Fund, \$76.90; Cumulative Capital Improvement (CIG) Fund, \$1,760.00; Municipal Cumulative Capital Development Fund, \$32,688.75; Traffic Violations and Law Enforcement Agency Fund, \$10,510.50; Gaming Revenue Sharing Fund, \$17,863.53; Total: \$374,989.00.

Payroll Docket for payday of April 14, 2017:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$15,934.70; Building and Inspection Department, \$8,628.74; Metropolitan Police Department, \$116,130.06; Fire Department, \$3,850.75; Public Works Department (Agency), \$64,032.87 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$208,577.12.

Adjournment of Plenary Meeting. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Zemen seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, April 24, 2017 was adjourned at 7:42 O'clock p.m.

Study Session. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session following the regular plenary meeting on Monday, April 24, 2017 at 7:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Bernie Zemen, Dan Vassar, Steve Wagner and Konnie Kuiper were present. Councilor Mark Herak was absent. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Persons Attending: Rhett L. Tauber, Town Attorney was also present.

General Substance of Matters Discussed.

1. The Town Council and the Clerk-Treasurer discussed the prospect of seeking hybrid position combining a Human Resource Director with a Redevelopment Director, instead of seeking a redevelopment director to succeed the incumbent who announced her retirement in June.

The discussion noted that the use of the Redevelopment General Fund resources for a human resource function serving municipal-wide and not confined to the redevelopment function, would not be permissible. The discussion also noted that any combination of functions would effectively reduce the redevelopment function to being led part-time rather than the full-time function it has had for the past twelve years.

It was further noted that some of the HR professionals that some on the Town Council consulted did not think that the two functions would be complimentary or compatible in competencies in a single position.

It was noted that the Town Council could discuss the matter further a representative from the HRGovUSA, the firm that the Clerk-Treasurer sought to provide a proposal for recruiting and vetting services. It was also suggested that someone from the Town Council contact the Town Manager of Dyer, Tom DeGiulio for his insight on the matter.

Adjournment of Study Session. There being no further business to be discussed, the Study Session following the regular plenary meeting of the Town Council of Monday, April 24, 2017 was adjourned at 8:00 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer